

MTIP001US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

October 30, 2003

Assistant Commissioner for Patents
Washington, DC 20231

RE: REPLY TO AUGUST 19, 2003 FINAL OFFICE ACTION
SERIAL # 09/725,728; ART UNIT 1746; FILED NOVEMBER 29, 2000;
TITLE: FUEL CELL CONTROL AND MEASUREMENT APPARATUS AND METHOD,
USING DIELECTRIC CONSTANT MEASUREMENTS

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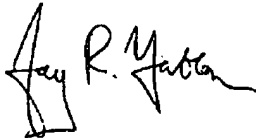
OFFICIAL

Dear Sir:

Attached please find a twelve (12) page reply to the above-referenced *final* office action. The reply is timely filed within the shortened statutory period, and no claims are added, so no fees are due with this reply.

By and with this reply, I hereby request further examination and consideration of this application, with the amendments submitted, described and supported herein.

Very Truly Yours,

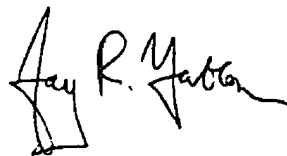


Jay R. Yablon
Registration # 30604

CERTIFICATION OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office Fax Number 703-872-9311 on the transmission date of October 30, 2003, pursuant to 37 CFR 1.8.

Name of Person signing this certificate: Jay R. Yablon



(signature)

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Serial Number: 09/725,728

Art Unit: 1746

Filing Date: 11/29/2000

Examiner: Johathan S. Crepeau

Title of Invention: Fuel Cell Control and Measurement Apparatus
and Method, using Dielectric Constant Measurements

Inventor: Acker et al.

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DETAILED REPLY TO AUGUST 19, 2003 FINAL OFFICE ACTION

Following is a detailed reply to the above-referenced
office action.

5 REQUEST FOR TELEPHONE INTERVIEW BEFORE SUBSEQUENT OFFICE ACTION

If any issues remain prior to this application being fully
in condition for allowance, applicants hereby respectfully
request a telephone interview with Examiner Jonathan S. Crepeau
to resolve any such remaining issues prior to issuing any

10 further action.

AMENDMENTS

Please amend claims 20, 40, 43 and 44 as shown below. All
other claims are unchanged.

1 1. (Original) A fuel cell system, comprising:

2 a fuel cell mixing apparatus into which can be fed a source
3 fuel and a diluting fluid, capable of mixing said source fuel
4 and said diluting fluid together in a desired mixing proportion
5 into a fuel mix, and capable of outputting said fuel mix for
6 feeding to a fuel cell; and

7 a fuel mix dielectric constant sensor capable of measuring
8 a fuel mix dielectric constant of said fuel mix output from said
9 fuel cell mixing apparatus, thereby enabling actual relative